

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

EAST TENNESSEE NATURAL GAS	)	
CO.,	)	
	)	Case No. 4:02-CV-00104
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
7.74 ACRES IN WYTHE COUNTY,	)	
VIRGINIA, HAROLD HART, LARRY	)	
BALL, et al.,	)	By: Jackson L. Kiser
	)	United States District Court
Defendants.	)	

Before me is the Plaintiff's *Motion for a New Trial or in the Alternative for Remittitur* [119]. For the reasons stated in the accompanying *Memorandum Opinion*, I find that the jury's verdict in this case was supported by the evidence presented at trial. The jury's award of \$1,875,986.00 to the Defendants as just compensation for the easement taken by the Plaintiff was therefore not against the clear weight of evidence. Consequently, I hereby **deny** the Plaintiff's *Motion for a New Trial or in the Alternative for Remittitur*.

The Clerk is directed to send certified copies of this *Order* and the accompanying *Memorandum Opinion* to all counsel of record.

Entered this 26<sup>th</sup> day of May, 2006.

s/Jackson L. Kiser  
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Senior United States District Judge